

cedures to be utilized with respect to the rights and protections provided pursuant to paragraph (1). Such remedies and procedures shall apply exclusively, except for the employees who are defined as Senate employees, in section 1201(c)(1) of this title.

### (3) Report to Congress

The chief official of each instrumentality of the Congress shall, after establishing remedies and procedures for purposes of paragraph (2), submit to the Congress a report describing the remedies and procedures.

### (4) Definition of instrumentalities

For purposes of this section, instrumentalities of the Congress include the following: the Architect of the Capitol, the Congressional Budget Office, the General Accounting Office, the Government Printing Office, the Office of Technology Assessment, and the United States Botanic Garden.

### (5) Construction

Nothing in this section shall alter the enforcement procedures for individuals protected under section 717 of title VII for the Civil Rights Act of 1964 (42 U.S.C. 2000e–16).

(Pub. L. 102–166, title I, §117, Nov. 21, 1991, 105 Stat. 1080.)

#### REFERENCES IN TEXT

The Civil Rights Act of 1964, referred to in subsecs. (a)(1), (2)(A) and (b)(1), is Pub. L. 88–352, July 2, 1964, 78 Stat. 252, as amended. Title VII of the Act is classified generally to subchapter VI (§2000e et seq.) of chapter 21 of Title 42, The Public Health and Welfare. For complete classification of this Act to the Code, see Short Title note set out under section 2000a of Title 42 and Tables.

Rule LI of the Rules of the House of Representatives, referred to in subsec. (a)(2)(B)(ii), was amended generally for the One Hundred Third Congress and, as so amended, contains provisions relating to fair employment practices. Rule LI was continued without change for the One Hundred Fourth Congress.

This title, referred to in subsec. (b)(1), is title I of Pub. L. 102–166, Nov. 21, 1991, 105 Stat. 1071, which enacted this section and section 1981a of Title 42, The Public Health and Welfare, amended section 626 of Title 29, Labor, and sections 1981, 1983, 2000e, 2000e–1, 2000e–2, 2000e–4, 2000e–5, 2000e–16, 12111, and 12112 of Title 42, and enacted provisions set out as notes under sections 1981, 2000e, and 2000e–4 of Title 42. For complete classification of title I to the Code, see Tables.

#### EFFECTIVE DATE

Section effective Nov. 21, 1991, except as otherwise provided, see section 402(a) of Pub. L. 102–166, set out as an Effective Date of 1991 Amendment note under section 1981 of Title 42, The Public Health and Welfare.

### §§ 60m, 60n. Repealed. Pub. L. 104–1, title V, § 504(b), Jan. 23, 1995, 109 Stat. 41

Section 60m, Pub. L. 103–3, title V, §501, Feb. 5, 1993, 107 Stat. 27; Pub. L. 103–283, title III, §312(f)(4), July 22, 1994, 108 Stat. 1447, related to family and medical leave for certain Senate employees. See section 1301 et seq. of this title.

Section 60n, Pub. L. 103–3, title V, §502, Feb. 5, 1993, 107 Stat. 28, related to family and medical leave for certain employees of House of Representatives. See section 1301 et seq. of this title.

#### SAVINGS PROVISION

Section 504(b) of Pub. L. 104–1 provided in part that sections 60m and 60n of this title are repealed, except as provided in section 1435 of this title.

### § 60o. Lump sum payment for accrued annual leave of House employees

#### (a) Approval; amount; source of payments

Upon the approval of the appropriate employing authority, an employee of the House of Representatives who is separated from employment, may be paid a lump sum for the accrued annual leave of the employee. The lump sum—

(1) shall be paid in an amount not more than the lesser of—

(A) the amount of the monthly pay of the employee, as determined by the Chief Administrative Officer of the House of Representatives; or

(B) the amount equal to the monthly pay of the employee, as determined by the Chief Administrative Officer of the House of Representatives, divided by 30, and multiplied by the number of days of the accrued annual leave of the employee;

(2) shall be paid—

(A) for clerk hire employees, from the clerk hire allowance of the Member;

(B) for committee employees, from amounts appropriated for committees; and

(C) for other employees, from amounts appropriated to the employing authority; and

(3) shall be based on the rate of pay in effect with respect to the employee on the last day of employment of the employee.

#### (b) Regulations

The Committee on House Oversight shall have authority to prescribe regulations to carry out this section.

#### (c) “Employee of the House of Representatives” defined

As used in this section, the term “employee of the House of Representatives” means an employee whose pay is disbursed by the Clerk of the House of Representatives or the Chief Administrative Officer of the House of Representatives, as applicable, except that such term does not include a uniformed or civilian support employee under the Capitol Police Board.

#### (d) Separations after June 30, 1995

Payments under this section may be made with respect to separations from employment taking place after June 30, 1995.

(Pub. L. 104–53, title I, §109, Nov. 19, 1995, 109 Stat. 522.)

#### CODIFICATION

Section is from the Congressional Operations Appropriations Act, 1996, which is title I of the Legislative Branch Appropriations Act, 1996.

#### CROSS REFERENCES

Authority of Committee on House Oversight of House of Representatives to combine House Clerk Hire Allowance into Members’ Representational Allowance, see section 57b of this title.

### § 61. Limit on rate of compensation of Senate officers and employees

No officer or employee of the Senate shall receive pay for any services performed by him at any rate higher than that provided for the office

or employment to which he has been regularly appointed.

(Aug. 5, 1882, ch. 390, §1, 22 Stat. 270.)

#### CROSS REFERENCES

Payment from House contingent fund of additional salary or compensation to House officers or employees, see section 95 of this title.

### **§ 61-1. Gross rate of compensation of employees paid by Secretary of Senate**

#### **(a) Annual rate; certification**

(1) Whenever the rate of compensation of any employee whose compensation is disbursed by the Secretary of the Senate is fixed or adjusted on or after October 1, 1980, such rate as so fixed or adjusted shall be at a single whole dollar per annum gross rate and may not include a fractional part of a dollar.

(2) New or changed rates of compensation (other than changes in rates which are made by law) of any such employee (other than an employee who is an elected officer of the Senate) shall be certified in writing to the Disbursing Office of the Senate (and, for purposes of this paragraph, a new rate of compensation refers to compensation in the case of an appointment, transfer from one Senate appointing authority to another, or promotion by an appointing authority to a position the compensation for which is fixed by law). In the case of an appointment or other new rate of compensation, the certification must be received by such office on or before the day the rate of new compensation is to become effective. In any other case, the changed rate of compensation shall take effect on the first day of the month in which such certification is received (if such certification is received within the first ten days of such month), on the first day of the month after the month in which such certification is received (if the day on which such certification is received is after the twenty-fifth day of the month in which it is received), and on the sixteenth day of the month in which such certification is received (if such certification is received after the tenth day and before the twenty-sixth day of such month). Notwithstanding the preceding sentence, if the certification for a changed rate of compensation for an employee specifies an effective date of such change, such change shall become effective on the date so specified, but only if the date so specified is the first or sixteenth day of a month and is after the effective date prescribed in the preceding sentence; and, notwithstanding such sentence and the preceding provisions of this sentence, any changed rate of compensation for a new employee or an employee transferred from one appointing authority to another shall take effect on the date of such employee's appointment or transfer (as the case may be) if such date is later than the effective date for such changed rate of compensation as prescribed by such sentence.

#### **(b) Conversion; increase in compensation**

The rate of compensation of each employee whose compensation is disbursed by the Secretary of the Senate which was fixed before August 1, 1967, at a basic rate with respect to which additional compensation is payable by law shall

be converted as of such date to the lowest per annum gross rate which is a multiple of \$180 and which is not less than the aggregate rate of compensation (basic compensation plus additional compensation provided by law) which such employee was receiving immediately prior to such date. Any increments of longevity compensation to which an employee became entitled prior to August 1, 1967, under section 60j(b) of this title shall be excluded in converting such employee's rate of compensation under this subsection, but such employee's rate of gross compensation shall be increased by \$540 (which shall be considered to be an increase under section 60j(b) of this title) for each such increment.

#### **(c) Reference in other provisions to basic rates and additional compensation as reference to per annum gross rate**

In any case in which the rate of compensation of any employee or position, or class of employees or positions, the compensation for which is disbursed by the Secretary of the Senate, or any maximum or minimum rate with respect to any such employee, position, or class, is referred to in or provided by statute or Senate resolution, and the rate so referred to or provided is a basic rate with respect to which additional compensation is provided by law, such statutory provision or resolution shall be deemed to refer, in lieu of such basic rate, to the per annum gross rate which an employee receiving such basic rate immediately prior to August 1, 1967, would receive (without regard to such statutory provision or resolution) under subsection (b) of this section on and after such date.

#### **(d) Compensation of employees in office of Senator; limitation; titles of positions**

(1)(A) Except as is otherwise provided in subparagraphs (B) and (C), the aggregate of gross compensation paid employees in the office of a Senator shall not exceed during each fiscal year the following:

\$1,087,597 if the population of his State is less than 5,000,000;  
 \$1,131,836 if such population is 5,000,000 but less than 6,000,000;  
 \$1,176,076 if such population is 6,000,000 but less than 7,000,000;  
 \$1,220,315 if such population is 7,000,000 but less than 8,000,000;  
 \$1,264,555 if such population is 8,000,000 but less than 9,000,000;  
 \$1,308,794 if such population is 9,000,000 but less than 10,000,000;  
 \$1,353,034 if such population is 10,000,000 but less than 11,000,000;  
 \$1,397,274 if such population is 11,000,000 but less than 12,000,000;  
 \$1,441,513 if such population is 12,000,000 but less than 13,000,000;  
 \$1,485,753 if such population is 13,000,000 but less than 14,000,000;  
 \$1,529,993 if such population is 14,000,000 but less than 15,000,000;  
 \$1,574,234 if such population is 15,000,000 but less than 16,000,000;  
 \$1,618,473 if such population is 16,000,000 but less than 17,000,000;  
 \$1,662,713 if such population is 17,000,000 but less than 18,000,000;